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No. 268

In the Supreme Court of the United States

OCTOBER TERM, 1941

NATURAL GAS PIPELINE COMPANY OF AMERICA AND TEXOMA NATURAL GAS COMPANY, PETITIONERS

v.

FEDERAL POWER COMMISSION AND ILLINOIS COMMERCE COMMISSION

ON CROSS-PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT OF APPEALS FOR THE SEVENTH CIRCUIT

MEMORANDUM FOR THE RESPONDENTS FEDERAL POWER COMMISSION AND ILLINOIS COMMERCE COMMISSION

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This case involves review of an interim order of the Federal Power Commission issued under the Natural Gas Act of 1938, 52 Stat. 821, 15 U. S. C., Supp. V, §§ 717–717w, ordering a reduction in the rates charged by petitioners. The respondents have hitherto filed a petition, No. 265, for a writ of certiorari to review the issues decided adversely to the Federal Power Commission and the Illinois Commerce Commission by the court below. The cross-petition presents those questions which the court below either decided favorably to the re-

spondents or failed to consider. The questions presented by the cross-petition are, for the most part, of general importance in the administration of the Natural Gas Act and may all appropriately be considered in determining whether the court below properly vacated the order of the Federal Power Commission. Accordingly, we do not oppose the granting of the writ on this cross-petition in the event the Court grants the writ in No. 265.

Respectfully submitted.

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GEORGE F. BARRETT,
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AUGUST 1941.

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